NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
School Property Evaluation and Cleanup Division
8800 Cal Center Drive
Sacramento, CA 95826

Project Title: Removal Action Workplan, proposed Mountain Oaks Charter School and Mountain Ranch Community School, Calaveras County Office of Education

Project Location – Specific: 1250 Poole Road

Project Location – City: San Andreas **Project Location – County:** Calaveras

Description of Project:
The Removal Action Workplan (RAW) for the proposed Mountain Oaks Charter School and Mountain Ranch Community School (site) addresses on-site management and control of soils impacted with naturally occurring asbestos (NOA). Various types of engineering controls will be used to separate the NOA contaminated soils from students, staff, administrators, and maintenance personnel. Among these is importing approximately 10,000 cubic yards of clean cover fill. An Operations and Maintenance (O&M) Plan will protect the health of students, staff, administrators, maintenance personnel, and visitors to the campus and provides for upkeep, monitoring, and reporting on NOA engineering controls at the campus. No student, faculty, staff, or unauthorized persons will be on the Site during the proposed remedial actions that will occur during construction of the school. Off-site disposal of NOA containing soil is not planned. The soil generated during grading and construction will be contained on site.

Background: The proposed Mountain Oaks Charter School and Mountain Ranch Community School site consists of 7.74 acres of former grazing land located 0.65 miles southwest of the City of San Andreas on land owned by Calaveras County Office of Education. The proposed school site is surrounded by primarily rural open range land, with a low-density residential development located approximately ¼ mile northeast of the Site.

The proposed elementary school is located in an area where Naturally Occurring Asbestos (NOA) occurs. No other hazardous substances are known to exist at the site. A Preliminary Endangerment Assessment (PEA) was performed to determine whether or not NOA was present above the no further action level of 0.001% by weight. NOA was detected at concentrations above this level, up to 0.33 percent (%) by dry weight of NOA. The results confirm that the Site poses a potential threat to human health and the environment. As a result, DTSC determined on February 14, 2006 that further action was required at the Site to address the potential hazard posed by the presence for the NOA containing soils. The Calaveras County Office of Education had entered into a Schools Cleanup Agreement (SCA) on 28 February 2006. The SCA provides DTSC oversight of the implementation of a Removal Action Workplan (RAW). The RAW has been prepared and submitted to DTSC as required by the California Health and Safety Code sections 25323.1 and 25356.1(h).

Project Activities: The RAW identifies procedures to cover the NOA containing soil with non-asbestos containing clean fill or various types of hardscape (concrete, asphalt, building foundations). The quantity of imported fill is estimated to be approximately 10,000 cubic yards. A specific source or sources has not yet been determined. However, all imported fill must be free of contamination and meet the DTSC Information Advisory on Clean Imported Fill Material, dated October 2001.

There will be approximately 20 truck loads of clean cover soil delivered per day over a five week period. Trucks bringing clean fill to the site will travel along US Highway 49 to Poole Station Road to the school construction site (1250 Poole Station Road). The transportation route for soil importation has been determined to have adequate daily capacity and level of service to accommodate the project.

The school construction earthwork is expected to begin in early February 2007 and to be completed by mid-March 2007. All activities will comply with all applicable, relevant and appropriate federal, state, and local requirements, such as the California Air Resources Board (CARB) Final Regulation Order, Section 93105, *Asbestos Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations*; also Section 93106, *Asbestos Airborne Toxic Control Measure for Surfacing Applications*

Dust control measures will be utilized during grading and construction activities. These measures will include maintaining moist conditions with water on all exposed surfaces and soil piles, pre-wetting the ground before and during earthmoving work, keeping vehicle speeds below 15 miles per hour, and cleaning vehicles prior to exiting the site.

Air monitoring stations will be established at the site boundary and will be monitored for asbestos and total dust. Direct-read total dust monitors will be used to provide information on a real-time basis. The fenceline trigger levels are 0.005 fibers per cubic centimeter for asbestos and 0.05 milligram per cubic meter for total dust. If these action levels are exceeded, dust mitigation measures will be modified to reduce the concentrations and DTSC will be notified and work activities may be stopped. Selected workers will wear air monitors to measure total dust and asbestos and to ensure concentrations are below CAL-OSHA levels.

Dust and asbestos control measures and proposed action levels are designed to be protective of human health under current and future land use conditions. The perimeter air monitoring proposed in the RAW will ensure the protectiveness of the control measures. Air monitoring points can be changed to monitor the appropriate fence line locations depending on wind direction. Notices will be provided to residences before major work (grading, etc.) for the Removal Action begins. Because grading work may not be continuous, DTSC will consider re-notification of the residences if a significant time (e.g. 4 to 6 weeks) period occurs between the conclusion of major work and re-initiation of the work.

Various types of engineering controls will be used to separate the NOA contaminated soils from students, staff, administrators, and maintenance personnel. Under these engineered controls will be a warning barrier or geotextile fabric except under buildings and slopes. The warning barrier will act as a visual reminder to personnel conducting subsurface maintenance or repair.

A minimum thickness of 6 inches of clean fill will be placed beneath playfields, lawn areas, and aesthetic landscaping. Approximately 2.89 acres of the 7.74-acre Site will be covered with hardscape construction, including buildings and paved areas. Embankments or cut-slopes are not anticipated to be within the Site boundary. If necessary, cut-slope embankments will be covered by retaining walls, shotcrete, drainage control, or other appropriated measures to prevent erosion and transport of NOA-containing soil onto the Site.

The RAW also includes an Operations and Maintenance (O&M) Plan designed to protect the health of students, staff, administrators, maintenance personnel, and visitors to the campus. The O&M plan is designed for post-construction maintenance and repair and will provide guidance for upkeep, monitoring, and reporting on NOA engineering controls at the campus. Maintenance work that may disturb NOA containing soil, breach an engineering control or otherwise create an exposure to NOA containing soil will not proceed without the O&M Plan Coordinator's approval. The procedures presented in the O&M Plan will also provide for notice and protection of underground utility workers. The O&M Plan Coordinator will notify DTSC prior to approving any work involving disturbance of an engineering control. Dust suppression by watering, track-out control, and OSHA health and safety requirements will be followed during the implementation of the maintenance or repair work. All activities will comply with all applicable, relevant and appropriate federal, state, and local requirements, such as the CARB Final Regulation Order, Section 93105, *Asbestos Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations*; also Section 93106, *Asbestos Airborne Toxic Control Measure for Surfacing Applications*

Name of Public Agency Approving Project: Department of Toxic Substance Control

Name of Person or Agency Carrying Out Project: Calaveras County Office of Education

Exempt Status: *(check one)*

☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(A));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: Title 14, California Code of Regulations, Section 15330
☐ Statutory Exemptions. State code number:
☐ General Rule (Sec. 15061(b)(3))

Exemption Title: Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste to Hazardous Substancest

Reasons Why Project is Exempt:

This section specifies that some small or medium removal actions, costing one million dollars or less can be taken to

prevent, minimize, stabilize, mitigate or eliminate the release or threatened release of a hazardous waste or hazardous substance. This project constitutes a minor removal activity to allow the construction of the proposed school. This remedial action is intended to eliminate the threat of a release that could expose sensitive populations at the school site.

This removal action will not have the potential for significant effects on the environment because:

1. Control measures will be instituted associated with excavation, grading, and on-site disposal of the NOA impacted soils. All areas where earthmoving will occur will be watered down prior to and during these activities to suppress dust. The air pollution control district requirements will be met for monitoring and/or controlling fugitive dust during site grading and construction.

2. The Asbestos Mitigation and Air Monitoring Plan, and a Health and Safety Plan, both a part of the RAW, will eliminate exposure of construction workers and nearby residences to dust and naturally occurring asbestos from the school site during the RAW construction activities. The RAW includes an O&M Plan, for management of the NOA soils that will be protected or covered, after construction is completed.

3. The Storm Water Pollution Prevention Plan for the school construction project will also be in place during the RAW activities of soil movement and cover soil placement.

4. Trucks transporting clean fill will follow designated truck routes with adequate capacity that have been evaluated by the City of San Andreas. Peak commuter hours will be avoided for fill transport.

5. The site is not on the Hazardous Waste and Substances Sites list compiled pursuant to Government Code section 65262.5 and is not in an area of biological or cultural resource significance.

Harold (Bud) Duke	(916) 255-3695
Lead Agency Contact Person	Phone #
DTSC Branch Chief Signature	Date

Sharon Fair	Acting Branch Chief, School Property and Cleanup Division
DTSC Branch Chief Name	DTSC Branch Chief Title

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR: _____